



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, 12 मार्च, 1993/21 फाल्गुन, 1914

हिमाचल प्रदेश सरकार

AGREEMENT UNDER SECTION 41 OF THE LAND ACQUISITION ACT, 1894

ARTICLES OF AGREEMENT made this Eleventh day of March one thousand nine hundred and ninetythree, BETWEEN the Gujarat Ambuja Cements Limited, a Company registered under the Companies' Act, 1956 and having its registered office at Vadnagar, Taluka Kodinar, District Amreli, Gujarat State, through Shri G. D. Bhosle Assistant Vice President (Engineering), appointed by the Company as its Attorney (hereinafter called "the company" which expression shall include its heirs, successors and assigns) of the one part and the Government of Himachal Pradesh through the Secretary (Industries) to the Government of Himachal Pradesh (hereinafter called the "Government", which expression shall include his successors in office and assigns) of the other part.

WHEREAS, upon the application of the Company for acquisition of land for Raw-material transportation System, the Government of Himachal Pradesh have agreed to acquire on behalf of the Company under the provisions of the Land Acquisition Act, 1894 (1 of 1894), the pieces or parcels of land described and delineated in the Scheduled hereto annexed and situated in villages Khata (199), Bagga (120), Kotlu (35), Bhagwana (36) and Rathoh (33), Tehsil Arki, District Solan, Himachal Pradesh, measuring 52-11 bighas having been shown to the satisfaction of the said Government that the proposed acquisition is needed for installation of Raw-material transportation System for carrying limestone from quarry site at Village Rathoh and its surroundings to the plant site at Village Suli etc., likely to prove useful to the public ; namely for transporting the raw material to one million tonnes per annum capacity cement

plant being established by the Company in Villages Suli, Khata, Dwaroo, Rauri, Bated and Tehsil Arki of Solan district and, whereas the said Government have called upon the Pachhyor Company under the provisions of Section 41 of the said Act to enter into the agreement with the Government hereafter contained.

Now these presents witness and it is hereby agreed and declared as follows:—

1. On demand, the Company shall and will pay to the said Government of Himachal Pradesh all and every compensation in respect of the said land tendered, paid or awarded to be tendered, paid or awarded by the Collector under the Land Acquisition Act, 1894, or by court or courts to which an appeal from the award of the said court may be preferred and all costs, charges and expenses of the proceedings in the aforesaid Courts or otherwise incidental to the proposed acquisition or payable in respect thereof under the provisions of the said Act.
2. On demand, made by the said Collector, the obligation of the Company under the last preceding clause not being thereby limited, the Company shall and will deposit with the said Collector such sum or sums of money as in his discretion the said Collector may in anticipation estimates to be necessary for the purposes mentioned in the last preceding clause.
3. On payment by the Company of all demands under the foregoing first clause, or in the discretion of the said Government of Himachal Pradesh (on deposit by the Company of all estimated amounts as provided in the second clause) but not before possession shall have been taken under the provisions or the above mentioned Act, the Government shall make over the possession of the said land to the Company and shall execute and do all such acts and deeds, as may be necessary and proper for effectually vesting the same in the Company.
4. In case, the Company has offered the land and construction etc. in it as security with the previous sanction of the Government for raising loans from Financial Institutions/Banks etc. within India and outside, the Government shall not have recourse to its rights or resumption of the lands under this clause, during the period such loan is outstanding.
5. The said land shall be held by the Company for the purposes for which it is acquired or purpose legitimately connected as is hereinbefore mentioned and without the sanction in writing of the said Government of Himachal Pradesh first had and obtained for no other purpose whatsoever.
6. Should the said lands not had by the Company for the purposes for which it is acquired or purpose legitimately connected as is hereinbefore mentioned within a period of three years from the date on which possession of the said land shall have been given to the Company or within such further period as in its discretion may be prescribed or allowed by the State Government of Himachal Pradesh or should the lands at any time thereafter cease for a period of 36 consecutive months or ceased to be required for the purpose or purposes provided for in the foregoing 4th clause and in any such case the said Government may summarily re-enter upon and take possession of the said land together with all buildings thereon whether such buildings were erected before or after transfer or the land to the Company and thereupon the interest of the Company in the said land and buildings shall cease and determine.

In WITNESS whereof the seal of the Company has been affixed and the Government of the State of Himachal Pradesh hereinto set his hand and seal, the day, month and year hereinabove mentioned.

Witness:

1. Sd/-
(S. S. MUMICK),
Sr. Manager, GACL.

2. Sd/-
(S. K. JASRAPURIA),
Asstt. Manager, GACL.

Witness:

1. Sd/-
RAGU NATH DASS,
Section Officer,
H.P. Sectt.

2. Sd/-
(K. R. VERMA),
Sup'd.,
Ind. B-Section,
H.P. Sectt.

SCHEDULE

District : SOLAN Tehsil : ARKI

Village	Khasra No.	Area Big. Bis.	
1	2	3	4
PHAGWANA (36)	9/1	2	00
	210/49/1	0	02
	211/49/1	0	17
	212/49/1	0	08
	51/1	0	14
	107/1	0	04
	109/1	0	08
	214/110/1	0	01
	215/110/1	0	13
	128/1	0	01
	123/1	1	06
	171/1	0	01
	172/1	0	09
	174/1	1	12
	175/1	0	19
	176/1	0	09
	178/1	0	17
	206/179/1	0	03
		11	04

For and on behalf of
Gujarat Ambuja Cements Ltd.

Sd/-
(G. D. BHOSLE)
Asstt. Vice President (Engineering)
Authorised Attorney.

For and on behalf of the
Government of Himachal
Pradesh.

Sd/-
Through the Secretary,
(Industries) to the Government
of Himachal Pradesh.

1	2	3	4
BAGA (120)	1/1	0	13
	7/1	0	12
	8/1	0	08
	9/1	0	08
	10/1	0	03
	21/1	0	11
	22/1	0	09
	23/A/1	0	07
	23/B/1	1	10
	127/1	0	02
	133/1	0	01
	134/1	0	04
	135/1	0	07
	136/1	0	05
	140/1	0	02
	142/1	0	04
	143/1	0	04
	144/1	0	04
	154/1	0	05
	155/1	0	03
	156/1	0	02
	160/1	0	14
	161/1	0	01
	164/A/1	0	18
	165/1	1	14
	216/1	0	01

1	2	3	4	1	2	3	4
	217/1	0	01		217/1	0	06
	218/1	0	05		213/1	0	01
	219/1	0	07		212/1	0	03
	220/1	0	01		214/1	0	02
	196/1	1	15		177/1	0	04
	223/1	0	13		176/1	1	04
	256/224/1	0	07		175/1	0	01
	226/1	0	14		174/1	4	00
	225/1	0	10		292/178/1	1	03
	245/1	0	01		292/178/2	0	01
	246/1	0	14				
	247/1	0	18				
	248/1	1	00				
		17	19	KOTLU (35)	60/1	0	07
					62/1	0	14
					64/1	0	12
RATHOH (33)	149/1	2	18			1	13
	230/1	0	09				
	229/1	0	14				
	228/1	2	08	KHATA (199)	84/1	0	12
	225/1	0	18		95/1	1	13
	151/1	0	16		97/1	0	03
	219/1	1	02		98/1	0	10
	218/1	0	14		99/1	1	02
	152/1	0	03				
	152/2	0	07				
	209/1	0	06				
				Total	..	52	11

Witness:

1. Sd/
(S. S. MUMICK),
Sr. Manager, GACL.

For and on behalf of Gujarat
Ambuja Cements Ltd.,

2. Sd/-
(S. K. JASRAPURIA)
Asstt. Manager, GACL.

Sd/-
(G. D. BHOSLE),
Asstt. Vice-President (Engineering)
Authorised Attorney.

Witness:

1. Sd/-
(RAGHU NATH DASS)
Section Officer, H. P. Sectt.

For and on behalf of the Govt. of
Himachal Pradesh.

2. Sd/-
(K. R. VERMA),
Supdt., Ind. B Sec.

Sd/-
Through the Secretary (Industries),
to the Govt. of Himachal Pradesh.